Class B

App F IX 4

Previous References

19 51-52
(ML)

File No 129-51

Serial Nos 1, 2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for July 1951

SUBJECT

Appointment of the Commissioner for Local Self Government

To The Comr for R D & S R of Co
" D-cs of Deputs
" Pdts of T M dts
" A/G
" Rev Comr
" C S A-D
" Compiler

L 3764 - 3963 dt 19/7/51

(P) 17/(E)

16/11/51

Note regarding the appointment of a Commissioner for Local Self Government in the State

One of the recommendations made by the Rhimany Naik Committee is the appointment of a Commissioner for Local Self Government, who is proposed to be invested with certain powers similar to those given to the Inspector of Local Boards and Municipalities in the Madras State This proposal has been accepted by the Government and provision made in clause 2 (3) of the Mysore Town Municipalities Bill, 1951 for such an appointment He will practically be the Controlling authority for administrating the affairs of the Town Municipalities In the several succeeding clauses of the Bill, this Officer is given certain powers

2. Specific provision has yet to be made in the Bill enabling the Government to create this post and invest this officer with definite powers, functions and duties The conditions of service, grant of leave, pay etc , of this officer have also to be regulated A note has been submitted separately in this connection

3 Similar provision has been made in Section 188 of the Mysore Village Panchayet and District Board Bill, 1951 for the appointment of a Commissioner for Local Self Government The actual appointment will perhaps be made after this Bill is passed by the Legislative Assembly and becomes Law It is presumed that the same officer will be in charge of the Municipalities, Village Panchayets, and District Boards as Commissioner for Local Self Government throughout the State

In the meanwhile -- the Town Municipalities Bill

Comm for 2 S G

931 mt

will become Law and come into effect earlier than the other Bill referred to above, it is necessary to appoint an Officer--as an adinterim measure-- as the Commissioner for Local Self-Government for Town Municipalities to facilitate the implementation of the provisions of the Town Municipalities Act, 1951 (when promulgated) e g , The Commissioner for Local Self Government will have to approve the divisions of the Municipality into Territorial Divisions under the Act, as a preliminary step for the constitution of the Municipality as a Town Municipal Council This power is not retained by the Government and if it is ~~accepted~~ exercised by the Government, it would be ultravires of the Act There are also other powers which could be exercised only by this Officer

5 In order to see that the provisions of the Town Municipalities Act are brought into working order, it is for consideration of the Commissioner for Rural Development may not as a temporary measure be appointed as the Commissioner for Local Self Government for Municipalities

L S G Secretary) 6

9/5/57

A may be done

L S G Minister)

Home Minister

9/5/57

7 I agree

9/5/57

Chief Minister

On 11/5/51

8

This may be submitted to the H Chief minister after it is perused by the H M for Home

On 11/5/51

9 I agree

11/5/51 25/5

10 Noted 24/5/57

Office of the Minister for Local Self Government

No 233

Office of the Chief

No 1501

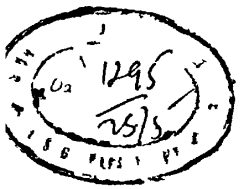
Date of Receipt 16/

Noted

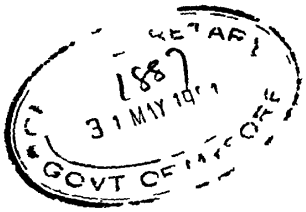
11/5 mg 12/5

931/MC

11) The issue of orders in this case will have to await the Royal Assent to the Magna Carta Bill 1957 being passed into Law. The Bill has been submitted to HM the Queen for Royal Assent



L J G (Secy) for 28/5/57



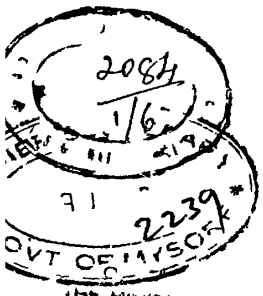
12) for formal

(Chief Secy)

MBS 28/5/57

MBS 29/5

13) This is a newly sanctioned POSt. When a permanent appointment has to be made perhaps this will be necessary Secy at an early date — the qualifications regd for the post, the mode of appointment, whether by direct recruitment or promotion etc — & the name also to be considered, and the Public Service Commr may profitably be consulted at the matter.



31/5/57

MBS 5/6/57 This is a new appt to be filled by the present A D Commissioner would the designated duties of the post & the nature of the matters as suggested by the Premier & I would like to know from the Chief Secy whether there can be any technical ob- objection to arrangement

THE MINISTER FOR LOCAL GOVERNMENT

14) LSt minutes

4 ch-f- meur

15) examine & form up

1500/49

9/6/51

11 6 57

(16) Govt to Mysore

17) The Town Municipalities bill has been passed into law entitled Act No XXII of 1951 There is no specific provision in the Act empowering Govt to or to appoint the create the post of a Commissioner for Town Municipalities except that a reference has been made under clause 3 of Section 3 of the Act, to the term "Commissioner which is reproduced below

"Commissioner" shall mean the Commissioner for local self Govt appointed by the Govt"

(17) Further, Section 197 of the act defining the powers of the Commissioner, reads as follows

"The Commissioner or any officer of the Govt authorised by the Govt by a general or special order have power etc"

(18) From the above it can only be inferred that Govt may appoint a Commissioner and invest him with such powers as are consistent with the Act It is nowhere in the Act, specifically said that Govt shall appoint a "Commissioner"

(19) In para 2 of the notes it is clearly stated that specific provision has yet to be made in the bill enabling Govt to create the post

Appointment of Commission for Local Self Govt.

1500

Ch 5

5

T ~~unnecessary~~ for Town Municipalities and to invest this officer with ~~deputed~~ powers, functions and duties as indicated in para 3 that the actual appointment of the Commissioner is to be made for the Village Panchayats and District Board Bill, 1951 -- passed by the Legislative Assembly -- and becomes Law, so that the said same officer shall be in charge of the Municipalities Village Panchayats and District Boards.

(20) In the Circumstance it is for consideration whether, it would be appropriate and consistent with the provisions of the Town Municipalities Act 2/1951, to appoint or designate the R D Commissioner as Commissioner of Town Municipalities and place him in additional charge of the duties appertaining to the Law Branch may perhaps post be completed in the matter

21) A copy of the Town Municipalities Act is (Hand out for perusal)

19/6/51

22) Another factor for consideration would be whether the addition of one more charge to the three charges held by the Commissioner R D and Depressed Classes viz (1) R D and Depressed Classes (2) Registry Co-operative Societies, and (3)

Re Appointment of Commissioner for Local Self Govt-

6

1500
ch

Chief Marketing Officer - would be a homogeneous and/or manageable charge for a single officer

23) The only point for consideration is whether the addition of this charge to the comr for R D would not become un-manageable for one officer the other officers having heavy work on hand, & the cannot take it up

24) In view of this, it may be entrusted to the Comr for R D for the present and see how it will works out

Secy
15/6/57

Chief Secy

27 I agree

Secy (LSG)

21/6/57

Secy
22/6/57

28
Min
23/6/57

Secy
27/6/57

29 The file may please be marked to the Hon'ble Minister for LSG by the administrative Secretary

Secy
27/6/57

Min for LSG)

27/6/57

30 The R D Commissioner may be appointed as the Commissioner for Local Self Govt in addition to his present duties

Hon Chief minister

23/6/57

RETARD
21494
16 JUN 1959
GOVT OF MYSORE

29/86
2376
I & C DEPTMENT

C 145/51-52

7

Extract from the Proceedings of the 150th *Meeting of the Council of Ministers held at Bangalore on* 28-6-1951 *19*

SUBJECT:

Appointment of Commissioner for Local Self-Government.

OFFICE OF THE COUNCIL.

The Rural Development Commissioner and Registrar, Co-operative Societies, may be appointed Commissioner for Local Self-Government in addition to his present duties.

Sd K Chengalaraya Reddy,
CHIEF MINISTER

L S G Secretary)

29 6 51

EXTRACT

Chief Secretary to Government

Appointment of Comr for Local Self govt

8

General and Revenue Secretariat

File No 2268/mf of 195 1500/cbs [App F III-2

Serial No

32 As this is a statutory appointment to be made under the Town Municipalities Act orders may perhaps issue from the Ml Br

(Secy to S G)
27/7

amk
21/7/51

33 Ml branch
Mr
21/7/51

34 Notification, appointing 6th day of July, 1951, as the date on which the provisions of the Town Municipalities Act, shall come into force, has issued today

35 A draft Notification about appointment of the Commissioner for Dev is put up, with reference to paras 31-34 of the Note under reference. The draft Notification may also be perused by Ld Govt before issue

BR 6/7

(Secy)
2/7

36) Revised dft as corrected. Please also put up a letter to the Commr for RD forwarding the notn & calling for his proposals as to the arrangements to be made for the new item of work in his area

21/7
11/7

NOTE—Contn Sheet

GENERAL & SECRETARIAT
5 JUL 1951
2268
MUNICIPAL BRANCH

Commissioner for Local Self Govt — appointment of —

File No 611/LD of 195 | General and Revenue Secretariat

Serial No	
37	A typed copy of the draft note as revised is put up, as well as a draft letter to the Commissioner for Rural Development for approval — Please peruse & sign & Dy Secy (Dev) for 11/7/1951
38	For perusal before issue Dy Secy 11/7 for 11/7 (Sri Law Secy)
39	Sec 3(3) of the Town Municipalities Act does not empower Govt to make the appointment of a Comr for L S G It contemplates such an appointment & it has to be made now under the executive orders of Govt, since there is as yet no enactment under which the appointment is to be made — I therefore suggest a Govt order being passed appointing the part of the Comr of L S G & placing a whole time officer being appointed, the Dy Comr of C S may be appointed as

Put a copy of the Corporation Act for 11/7/51

Dy Secy (Law) 11/7

Sri KN G may see 11/7

Joint

11 JUL 1951 GOVT OF MYSORE

12 JUL 1951 LEGISLATIVE DEPARTMENT

Appointment of Commissioner for Local Self Gov

811/2D

40

To Ex officio Comr for L S G The once such an appointment is made, the Comr to nominate Dr under Sec 13(3) of the Town Mgt Act, to be Commissioner under the Act --

Sd/-
17/7/57

Office of the Minister for Local Self Government
No 1948
Date 17/7/57

40) This may be done at once without further delay

Sd/-
18/7/57

41) Draft for subs for appt (L S G Secy) for signature

Sd/-
19/7/57

42) Issue & put up

Sd/-
19/7 for 1957

Received 50 Ps 4 19/7

The Commissioner for R D on Rights and Registration of Cooperative Societies,
Directors of Distts
Presidents of Town Mgt Cls
Accountant General, Mysore, Bglore
R-c in Mysore,
Controller, S A D
Other Heads of Depts
Compiler, Mysore Gazette

L 3764-3963 and 129-57-1

Sanctions for appt of Secy to Govt in Local Self-Govt

Appr of the Commissioner for L S ...

The Commissioner for Rural Development
in Mysore, Bglre
L 3967 rel 129-51-2
dtd 19.7.51
forwards a copy of the
order in the matter

43) Pre-submitted with reference to para 42 supra
20/7/51 BR

20/7

44) For personal attention of HMS

This LSG

20/7

Office of the Chief Minister
No. 5904
Date of Receipt ... 23/7/51

Rc
20/7/51
21/7
21/7
23/7
Rla
23/7
24/7
25/7
27/7

. May be recorded now

25/7/1951

8/10
rel 129-51-2

I 871

24 cops

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

READ -

Notification No L3151/Ll 128-51-1 dated 6th July 1951 fixing the 6th day of July 1951 as the date on which the provisions of the Mysore Town Municipalities Act, 1951 shall come into force

ORDER NO L 3744-3963/Ml/29 51 1
Dated, Bangalore, the 19 7 51

Section 3 (3) of the Mysore Town Municipalities Act, 1951, contemplates the appointment of a Commissioner for Local Self Government who will exercise certain powers under the several provisions of the said Act The Act has come into force with effect from 6th July 1951, and it is found necessary to appoint a Commissioner for Local Self Government to implement the working of the Act

Government are accordingly pleased to appoint the Rural Development Commissioner and Registrar of Co-operative Societies in Mysore, as the Ex-officio Commissioner for Local Self Government ~~until further orders~~ This Officer will exercise the powers and perform the functions and duties laid down in the Act

19/7

Secretary to Government,
L S G Department

To

1 The Commissioner for Rural Development and Registrar of Co-operative Societies
2 Deputy Commissioners of Districts
3 The Presidents of Town Municipal Councils,
4 " Accountant General-Mysore, Bangalore
5 " Revenue Commissioner in Mysore
6 Other Heads of Depts

The Compiler, Mysore Gazette, for publication in the G O of the gazette with the request that 500 copies of may be printed and supplied to the Municipal Branch, G R S

Copy to (1) the Chief Secretariat, (2) Local Boards Branch, (3) A &F Br[illegible]

Read:-

Notification No.L.3151/XL. 12-51-1 dated the 6th July 1951 fixing 6th day of July 1951 as the date on which the provisions of the Mysore Municipalities Act,1951 shall come into force.

Order No. 3764 - 3963 /XL 129 51

Dated Bangalore the 19 7 1951.

Section 3(3) of the Mysore Town Municipalities Act,1951, contemplates the appointment of a Commissioner for Local Self-Government who will exercise certain powers under the several provisions of the said Act. The Act has come into force with effect from 6th July 1951, and it is found necessary to appoint a Commissioner for Local Self-Government to implement the provisions of the Act.

Government are accordingly pleased to appoint the Rural Development Commissioner and Registrar of Co-operative Societies in Mysore, as the ex-officio Commissioner for Local Self-Government. This Officer will exercise the powers and perform the functions and duties laid down under the Act.

By Order and in the name of the Governor of Mysore,

Secretary to Government,
Revenue Department.

To

The Commissioner for Rural Development and Registrar of Co-operative Societies in Mysore, Bangalore.
The Deputy Commissioners of Districts.
The Presidents of Town Municipal Councils.
The Accountant-General, Mysore, Bangalore.
The Revenue Commissioner in Mysore, Bangalore.
The Controller, State Accounts Department, Bangalore.
The Other Heads of Departments.
The Compiler, Mysore Gazette, for publication in Part I of the Gazette with the request that 500 copies of the Government Order may be printed and supplied to the Municipal Branch of the General & Revenue Secretariat.

hsc-10x2(19-7)

GOVERNMENT ~~OF HIS HIGHNESS THE MAHARAJA~~ OF MYSORE 3

No L 3151/M1 128-51-1 General and Revenue Secretariat

Dated Bangalore 6th July 1951.

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 1 of the Mysore Town Municipalities Act,1951(Mysore Act XXII of 1951) His Highness the Maharaja of Mysore is pleased to appoint the 6th day of July 1951 as the date on which the provisions of the said Act shall come into force

By order of
His Highness the Maharaja,

for Secretary to Government,
L S G Department, ~~Excise~~ in charge

To

The Compiler, Mysore Gazette,for publication in the Gazette(Extraordinary)

hsc-8x3(6-7)

To

The Commissioner for Rural Development
in Mysore,
Bangalore

Sir,

I am directed to forward herewith a copy of the ~~Notification~~ order No L dated th July 1951 appointing you as Ex-officio Commissioner for Local Self-Government under the provisions of the Mysore Town Municipalities Act, 1951 in addition to your duties I am to add that the immediate action to be taken in this behalf relates to the delimi-tation of Constituencies in Town Municipalities under section 11 of the Act and the proposals received so far in this office from Town Municipalities in response to the directions conveyed in this office letter No L 880-9/51-52 dated 3rd May 1951 are herewith sent separately to you for neces-sary further action Proposals from the re-maining Municipalities may be obtained early so that elections for the constitution of the Muni-cipalities under the Act may be held in the month of September 1951 and the new Municipal Councils may begin to function from 1st October '51 ~~Proposals for the establishment required~~ A report regarding the arrangements Made to deal with this question in your office may be forwarded to Government in due course

A copy of the Notification No L 3151/Ml 123-51-1 dated 6th July 1951 bringing into force the provisions of the Town Municipalities Act of 1951 with effect from 6th July 1951 and a copy of the Letter No L 880-9/Ml dated 3rd May 1951 are herewith sent for reference, along with a copy of the said Act

Yours faithfully,

knr/11 7 51

for L S G Secretary to Government

5

S O.

GOVERNMENT OF MYSORE

LOCAL SELF GOVERNMENT DEPARTMENT

G O No L 3764 3963—Ml 129 51 1 dated 19th July 1951

Commissioner for Local Self Government

Appoints the Rural Development Commissioner and Registrar of Co operative Societies in Mysore as the *Ex-officio* —— in Mysore

READ—

Notification No L 3151—Ml 123 51 1 dated 6th July 1951 fixing the 6th day of July 1951 as the date on which the provisions of the Mysore Town Municipalities Act 1951 shall come into force

ORDER No L 3764 3963—Ml 129 51 1 DATED BANGALORE THE 19TH JULY 1951

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Government are accordingly pleased to appoint the Rural Development Commissioner and Registrar of Co operative Societies in Mysore as the *Ex officio* Commissioner for Local Self Government This Officer will exercise the powers and perform the functions and duties laid down in the Act

K BALASUBRAMANYAM
Secretary to Government
Local Self Government Department

To—The Commissioner for Rural Development and Registrar of Co operative Societies in Mysore Bangalore
The Deputy Commissioners of Districts
The Presidents of Town Municipal Councils
The Accountant General for Mysore Bangalore
The Revenue Commissioner in Mysore Bangalore
The Controller State Accounts Department Bangalore
The Other Heads of Departments
The Compiler *Mysore Gazette*

Fxd —C R N

WD 529—GPB—793—30-7-51

6

S.O.

GOVERNMENT OF MYSORE

LOCAL SELF GOVERNMENT DEPARTMENT

G O No L 3764 3963—Ml 129 51 1 dated 19th July 1951

Commissioner for Local Self Government

Appoints the Rural Development Commissioner and Registrar of Co operative Societies in Mysore as the *Ex officio* —— in Mysore

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K BALASUBRAMANYAM
Secretary to Government
Local Self Government Department

To—The Commissioner for Rural Development and Registrar of Co operative Societies in Mysore Bangalore
The Deputy Commissioners of Districts
The Presidents of Town Municipal Councils
The Accountant General for Mysore Bangalore
The Revenue Commissioner in Mysore Bangalore
The Controller State Accounts Department Bangalore
The Other Heads of Departments
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WD 529—GPB—733—30-7-51